

In the  
Indiana Supreme Court



IN THE MATTER OF  
THE APPOINTMENT OF A  
JUDGE PRO TEMPORE IN  
CARROLL CIRCUIT COURT

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Case No. 08S00-1212-MS-688

ORDER TERMINATING JUDGE PRO TEMPORE  
AND APPOINTING SUCCESSOR JUDGE PRO TEMPORE

On August 16, 2012, this Court issued an Order, which among other appointments, appointed Senior Judge David A. Cox to serve as Judge *Pro Tempore* in the Carroll Circuit Court commencing November 5, through December 31, 2012. The Court is now informed that Senior Judge Cox is willing to step down from this assignment and that Judge-elect Benjamin A. Diener is willing to be appointed as successor Judge *Pro Tempore* through December 31, 2012.

IT IS, THEREFORE, ORDERED that the appointment of Senior Judge David A. Cox as Judge *Pro Tempore* in the Carroll Circuit Court is terminated effective 11:59 p.m. December 17, 2012.

IT IS FURTHER Ordered that Judge-elect Benjamin A. Diener is appointed as Judge *Pro Tempore* in the Carroll Circuit Court effective December 18, 2012. Pursuant to Ind. Trial Rule 79(K) an oath of office is required of Judge-elect Diener.

This Order shall be sufficient authority for the Judge *Pro Tempore* to continue the employment of court personnel and otherwise discharge the duties of Judge of the Carroll Circuit Court. During his term of service the Judge *Pro Tempore* shall be entitled to compensation, paid by the State of Indiana, computed at the same rate as the regular judge commencing from the effective date of the appointment, pursuant to T.R. 63(D).

The Clerk of this Court is directed to forward a certified copy of this Order to the Clerk of the Carroll Circuit and Superior Courts; to the Hon. Donald E. Currie, Carroll Circuit Court, P.O. Box 28, Delphi, IN 46923-0028; to the Hon. Kurtis G. Fouts, Carroll Superior Court, 101

West Main Street, Delphi, IN 46923-1566; to Judge-elect Benjamin A. Diener; to Senior Judge David A Cox; to the Division of State Court Administration, payroll department; and to the Indiana Judicial Center. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Carroll Circuit and Superior Courts is directed to enter this Order into the Record of Judgments and Orders of the court; to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 13<sup>th</sup> day of December, 2012.

A handwritten signature in black ink, appearing to read "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson  
Chief Justice of Indiana